

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

LA.App..No. 1583 of 2002()

LAR.2/1997 of PRINCIPAL SUB COURT,ATTINGAL

APPELLANT: RESPONDENT:

STATE OF KERALA.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA.

RESPONDENTS: CLAIMANTS:

1. M.A.RASHEED, S/O. MUHAMMED HANEEFA,
PARAMBIL VEEDU, ODAYAM, EDAVA VILLAGE.
2. M.A.ABYOOB, S/O. -DO- -DO-.
3. KAMAL, S/O. -DO- -DO-.
4. SAHEERSHA, S/O. -DO- -DO-.
5. ABDUL FAZIL ISMAIL, S/O. ISMAIL, -DO-.
6. FAZLAL RAHIM, S/O. ISMAIL, -DO-.
7. JAHANABEEGAM, W/O. JASHIMKUTTY,
KADAYIL VEEDU, ODAYAM, EDAVA VILLAGE.
8. JESIKHA BEEGAM, W/O.MISBAHUDEEN OF -DO-.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

C.M.P. No.6477/02 & L.A.A. NO.1583 OF 2002

Dated 6th June, 2007.

J U D G M E N T

Kurian Joseph, J.

There is a delay of 349 days in filing the appeal against the judgment and decree in L.A.R.2/1997 on the file of the Sub Court, Attingal. It is seen from the judgment dated 15.7.2004 in W.P.(C) No.21196/03 that the judgment under appeal had already been set aside on the ground of non-impleadment of the requisitioning authority and the matter had been remitted to the Reference Court. In that view of the matter, the appeal itself has been rendered infructuous. Therefore, the delay petition as well the appeal are dismissed.

I.A.No.977/2003 : Dismissed.

KURIAN JOSEPH, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

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**KURIAN JOSEPH &
T.R.RAMACHANDRAN NAIR, JJ**

L.A.A. NO.1583 OF 2002

J U D G M E N T

Dated 6th June, 2007.